

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA

CASSANDRA GROVE,  
Plaintiff,  
v.

NELNET SERVICING, LLC DBA  
FIRSTMARK SERVICES; EXPERIAN  
INFORMATION SOLUTIONS, INC.;  
EQUIFAX INFORMATION SERVICES  
LLC, and TRANSUNION LLC,  
Defendants.

Case No.: 1:23-cv-05320-TWT-JEM

**APPLICATION FOR ENTRY OF  
DEFAULT AGAINST NELNET  
SERVICING, LLC DBA  
FIRSTMAKR SERVICES**

To the Clerk of the United States District Court for the District of the Northern District of Georgia:

As provided by Rule 55 of the Federal Rules of Civil Procedure, Plaintiff, Cassandra Grove, requests that the Clerk enter the default of the following Defendant for failure to plead or otherwise defend against this action in a timely manner Nelnet Servicing, LLC dba Firstmark Services (hereinafter "Firstmark").

1. As evidenced by the return of service on file with this Court, Firstmark was served via its registered agent C T Corporation System by Front Range Legal Process Service, Inc., on December 12, 2023, at 5601 South 59<sup>th</sup> Street, Lincoln, NE 68516. Doc. 5-1.

2. The applicable time limit for Firstmark to plead or otherwise respond to this action expired on January 2, 2024.

3. Firstmark has failed to plead or otherwise respond to the complaint.

4. This request is supported by the attached Declaration of Esther Oise.

1 Respectfully submitted February 13, 2024.

2  
3 /s/ Esther Oise

4 Esther Oise, Esq. (GA Bar #686342)

5 Oise Law Group PC

6 2635 Governors Walk Blvd.

7 Snellville, GA 30078

8 Email: oiselaw@gmail.com

9 Telephone: (770) 895-3736

10 Attorney for Plaintiff

**DECLARATION OF ESTHER OISE**

I, Esther Oise, declare as follows:

1. I am the Plaintiff's attorney in this action. This declaration is based on my personal knowledge.

2. Defendant Firstmark was served by Front Range Process Service, Inc. on December 12, 2023, as evidenced by the return of service on file with this Court.

3. Under Rule 12, Defendant Firstmark was required to plead or otherwise respond to the complaint by September 1, 2023. The time to plead or otherwise respond to the complaint has not been extended by any agreement of the parties or any order of the Court.

4. Defendant Firstmark has failed to serve or file a pleading or otherwise respond to the complaint. The applicable time limit for responding to the complaint has expired.

5. Defendant Firstmark is not a minor or an incompetent person.

6. Defendant Firstmark is not currently in the military service, and therefore Servicemembers Civil Relief Act does not apply.

7. Therefore, the clerk should enter default against Firstmark under Rule 55(a).

8. I declare under penalty of perjury that the foregoing is true and correct.

Executed on: February 13, 2024

By: /s/ Esther Oise  
Esther Oise

**CERTIFICATE OF SERVICE**

I hereby certify that on February 13, 2024, I electronically transmitted the foregoing document to the Clerk's Office using the ECF system for filing and transmittal of a Notice of Electronic Filing to all CM/ECF registrants of record in this matter.

By: /s/ Esther Oise